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8 Attorneys for Defendants, COUNTY OF ORANGE, ORANGE COUNTY
SHERIFF-CORONER SANDRA HUTCHENS, JOCELYN LUMITAP, PATTI
9 TROUT, MARIA TEOFILO, and THOMAS LE

10 **UNITED STATES DISTRICT COURT**

11 **CENTRAL DISTRICT OF CALIFORNIA**

12 PATRICK RUSSELL, as Personal
Representative of the Estate of Patrick
13 John Russell and individually; LYNNE
RUSSELL, as Personal Representative of
14 the Estate of Patrick John Russell and
individually,
15

16 Plaintiffs,

17 vs.

18 COUNTY OF ORANGE; ORANGE
19 COUNTY SHERIFF-CORONER
SANDRA HUTCHENS, individually and
20 in her official capacity; JOCELYN
LUMITAP, individually; PATTI TROUT,
21 individually; MARIA TEOFILO,
individually; THOMAS LE, individually,
22 and DOES 1 through 10, inclusive,

23 Defendants.
24

CASE No. 17-CV-00125-JLS (DFM)

*Assigned for All Purposes to:
Hon. Josephine L. Staton - Ctrm 10A*

**DEFENDANTS' PROPOSED
SPECIAL VERDICT FORM**

Pre Trial Conf.: June 8, 2018
Time: 1:30 p.m.
Courtroom: 10A

Trial Date: July 3, 2018

Complaint filed: January 24, 2017

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1 **TO THIS HONORABLE COURT, TO PLAINTIFFS AND THEIR**
2 **COUNSEL OF RECORD:**

3 Defendants COUNTY OF ORANGE, ORANGE COUNTY SHERIFF-
4 CORONER SANDRA HUTCHENS, JOCELYN LUMITAP, PATTI TROUT,
5 MARIA TEOFILO, and THOMAS LE hereby submit the attached proposed Special
6 Verdict Form.

SPECIAL VERDICT FORM

We, the jury in the above-entitled action, find the following special verdict on the questions submitted to us:

QUESTION NUMBER 1

Were any of the following Defendants deliberately indifferent to Patrick John Russell's medical needs?

Jocelyn Lumitap Yes____ No ____

Patti Trout Yes____ No ____

Maria Teofilo Yes____ No ____

Thomas Le Yes____ No ____

If your answer to Question 1 is "No" as to all four individuals, your foreperson should sign and date this Special Verdict Form.

If your answer to Question 1 is "Yes" as to any individual, proceed to Question 2, and only answer Question 2 for that individual.

QUESTION NUMBER 2

Was the conduct of any of the following Defendants plainly incompetent?

Jocelyn Lumitap Yes____ No ____

Patti Trout Yes____ No ____

Maria Teofilo Yes____ No ____

Thomas Le Yes____ No ____

If your answer to Question 2 is "No" as to all four individuals, skip Questions 3 and 4, and proceed to Question 5.

If your answer to Question 2 was "Yes" as to any individual, proceed to Question 3, and only answer Question 3 for those/that individual(s).

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QUESTION NUMBER 3

Did any of the following Defendants knowingly violate the law regarding Patrick John Russell's constitutional rights?

Jocelyn Lumitap Yes____ No ____

Patti Trout Yes____ No ____

Maria Teofilo Yes____ No ____

Thomas Le Yes____ No ____

If your answer to Question 3 is "No" as to all four individuals, skip Question 4 and proceed to Question 5.

If your answer to Question 3 is "Yes" as to any individual, proceed to Question 4, and only answer Question 4 for those/those individual(s).

QUESTION NUMBER 4

Did any of the following Defendants have a reasonable belief that his or her actions did not violate Patrick John Russell's constitutional rights?

Jocelyn Lumitap Yes____ No ____

Patti Trout Yes____ No ____

Maria Teofilo Yes____ No ____

Thomas Le Yes____ No ____

Proceed to Question 5.

QUESTION NUMBER 5

Did any of the following Defendants fail to summon immediate medical care?

Jocelyn Lumitap Yes____ No ____

Patti Trout Yes____ No ____

Maria Teofilo Yes____ No ____

Thomas Le Yes____ No ____

1 If your answer to Questions 4 and 5 were "No" as to all four individuals, your
2 foreperson should sign and date this Special Verdict Form.

3 If your answer to either Question 4 or 5 was "Yes" as to any individual,
4 proceed to Question 6, and only answer Question 6 for those/that individual(s).

5
6 **QUESTION NUMBER 6**

7 Was the conduct of any individual a substantial factor in causing Plaintiffs'
8 harm?

9 Jocelyn Lumitap Yes ____ No ____

10 Patti Trout Yes ____ No ____

11 Maria Teofilo Yes ____ No ____

12 Thomas Le Yes ____ No ____

13 If your answer to Question 6 was "No" as to all four individuals, your
14 foreperson should sign and date this Special Verdict Form.

15 If your answer to Question 6 was "Yes" as to any individual, proceed to
16 Question 7.

17
18 **QUESTION NUMBER 7**

19 Were Plaintiffs damaged as a result of the conduct of any of the Defendants?

20 Patrick Russell Yes ____ No ____

21 Lynne Russell Yes ____ No ____

22
23 If your answer to Question 7 was "No", your foreperson should sign and date
24 this Special Verdict Form

25 If your answer to Question 7 for either Plaintiff was "Yes", proceed to
26 Question 8.

QUESTION NUMBER 8

What is the amount of damages you award Plaintiffs?

\$ _____

Your foreperson should now sign and date this Special Verdict Form.

DATED:

Foreperson